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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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THE UNITED STATES OF AMERICA, et al.,
ex rel MARC ANDREOZZI,

No. C 09-01921 JSW

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Plaintiffs,

**ORDER REQUESTING
ADDITIONAL DECLARATION
RE MOTION TO WITHDRAW AS
COUNSEL FOR RELATOR**

v.

ELI LILLY & COMPANY,

Defendant.

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The Court has read and considered Packard, Packard & Johnson's Motion to Withdraw as Counsel for Relator Marc Andreozzi. The time for filing an opposition to the motion has passed, and none of the parties has opposed the motion.

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Counsel attests that “[a]s an affirmation of previous notices, on October 6, 2011, I sent a written notice to Relator Andreozzi that PPJ was withdrawing subject to filing a motion with the Court. Relator Andreozzi indicated his concurrence to me with this request in the authorization and fee agreement and in communications with PPJ.” (Declaration of Lon D. Packard, ¶ 8.) It is not clear to the Court whether Mr. Andreozzi has affirmatively consented to Packard, Packard & Johnson's motion to withdraw, or whether Packard, Packard and Johnson are inferring his consent from silence.

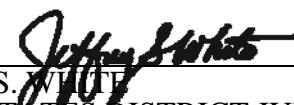
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Accordingly, Packard, Packard & Johnson, are HEREBY ORDERED to submit a further declaration clarifying whether they have any written communications from Mr. Andreozzi consenting to their withdrawal from this case.

1 This declaration shall be filed by no later than December 2, 2011. Pending further order
2 of the Court, the motion to withdraw remains on calendar on December 9, 2011. It is
3 FURTHER ORDERED that Packard, Packard & Johnson shall serve a copy of this Order on
4 Mr. Andreozzi and shall file proof of such service with the Court.

5 **IT IS SO ORDERED.**

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7 Dated: November 28, 2011

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11 JEFFREY S. WHITE
12 UNITED STATES DISTRICT JUDGE